

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RONALD JAMES DAVENPORT,

Plaintiff,

v.

W. CARL HANKLA and MICHAEL
P. HATZIMACHALIS,

Defendants.

NO: CV-13-0088-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT PREJUDICE
AND DIRECTING THAT
COLLECTION OF FILING FEE
CEASE

Magistrate Judge Hutton filed a Report and Recommendation on May 13, 2013, recommending Plaintiff's motions to voluntarily dismiss and to waive collection of the filing fee be granted, ECF No. 26. There being no objections, the Court **ADOPTS** the Report and Recommendation. The Motion to Voluntarily Dismiss, ECF No. 20, is **GRANTED** and Complaint is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED Plaintiff's Motion to Waive Filing Fee, ECF No. 21, is **GRANTED** and the institution having custody of Mr. Davenport shall cease collection of the filing fee in this action, cause number **CV-13-0088-JPH**.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff and close the file. The District Court Clerk is further directed to send a copy of this Order to the **Warden of Duluth Federal Prison Camp, P.O. Box 1000, Duluth, MN 55814**, to forward to the appropriate agency having custody of Plaintiff. The District Court Clerk also **shall** provide a copy of this Order to the Financial Administrator for the United States District Court, Eastern District of Washington.

DATED this 3rd day of June 2013.

s/ Rosanna Malouf Peterson
 ROSANNA MALOUF PETERSON
 Chief United States District Court Judge